

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

TIARE TECHNOLOGY, INC.,

Plaintiff,

v.

**YADAV ENTERPRISES, INC., YTC
ENTERPRISES, LLC, and TACO
CABANA, INC.**

Defendants.

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Civil Action No. 2:22-cv-0016-JRG-RSP

JURY TRIAL DEMANDED

**PLAINTIFF/COUNTER-DEFENDANT TIARE TECHNOLOGY, INC.’S
ANSWER TO DEFENDANT TACO CABANA, INC.’S COUNTERCLAIMS**

Plaintiff/Counter-Defendant Tiare Technology, Inc. (“Tiare”) hereby answers Defendant/Counter-Plaintiff Taco Cabana Inc.’s (“Taco Cabana” or “Defendant”) Counterclaims (Dkt. No. 36, at 1–13). Tiare sets forth by reference paragraphs 1 through 99 of its First Amended Complaint (Dkt. No. 13) in its entirety as if fully set forth herein.

COUNTERCLAIMS

No response is required to the opening unnumbered paragraph of Taco Cabana’s Counterclaims.¹

I. PARTIES

1. Tiare admits the allegations in paragraph 1.

¹ The paragraph numbering of this answer begins at 1, matching the paragraph numbering used in Taco Cabana’s Counterclaims. The section titles are, similarly, the titles used from Taco Cabana’s Counterclaims and are reproduced only for that reason.

2. Tiare admits the allegations in paragraph 2.

II. JURISDICTION AND VENUE

3. Tiare admits the allegations in paragraph 3.
4. Tiare admits the allegations in paragraph 4.

III. FIRST COUNTERCLAIM DECLARATION OF NON-INFRINGEMENT OF THE '729 PATENT

5. Tiare admits the allegations in paragraph 5.
6. Tiare denies the allegations in paragraph 6.

IV. SECOND COUNTERCLAIM DECLARATION OF NON-INFRINGEMENT OF THE '414 PATENT

7. Tiare admits the allegations in paragraph 7.
8. Tiare denies the allegations in paragraph 8.

V. THIRD COUNTERCLAIM DECLARATION OF INVALIDITY OF THE '729 PATENT

9. Tiare admits the allegations in paragraph 9.
10. Tiare denies the allegations in paragraph 10.

VI. FOURTH COUNTERCLAIM DECLARATION OF INVALIDITY OF THE '414 PATENT

11. Tiare admits the allegations in paragraph 11.
12. Tiare denies the allegations in paragraph 12.

VII. DEMAND FOR A JURY TRIAL

13. Tiare joins Taco Cabana's demand for a jury trial.

VIII. PRAYER FOR RELIEF

The section of Taco Cabana's Counterclaims entitled "Prayer for Relief" sets forth the statement of relief requested by Taco Cabana, to which no response is required. Should the Court deem a response is required, Tiare denies that Taco Cabana is entitled to any relief sought in this section and requests that the Court deny all relief sought by Taco Cabana in its entirety and with prejudice.

IX. PRAYER FOR RELIEF FROM TACO CABANA'S COUNTERCLAIMS

WHEREFORE, Plaintiff/Counter-Defendant Tiare prays for entry of judgment in its favor and against Defendant/Counter-Plaintiff Taco Cabana's as follows:

A. For a judgment dismissing Defendant/Counter-Plaintiff Taco Cabana's counterclaims with prejudice; and

B. That Plaintiff/Counter-Defendant Tiare be awarded such other and further relief as the Court may deem just and proper, including all relief requested in Plaintiff's Complaint.

Dated: July 4, 2022

Respectfully submitted,

By: /s/ Christian J. Hurt
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Counsel for Plaintiff Tiare Technology, Inc.

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document is being filed electronically in compliance with Local Rule CV-5(a). As such, this document is being served this July 4, 2022, on all counsel of record, each of whom is deemed to have consented to electronic service. L.R. CV-5(a)(3)(A).

/s/ Christian J. Hurt
Christian J. Hurt